

**REMARKS**

This amendment responds to the Office Action dated July 24, 2007, in which the Examiner rejected claim 21 under 35 U.S.C. § 101, rejected claims 1-2, 5-6 and 18-22 under 35 U.S.C. § 102(b) and rejected claims 3-4 and 7-17 under 35 U.S.C. § 103.

As indicated above, typographical errors in the Specification have been corrected. Therefore, Applicant respectfully requests the Examiner approves the corrections.

As indicated above, claim 21 has been amended in order to be directed to statutory subject matter. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claim 21 under 35 U.S.C. § 101.

As indicated above, claims 1, 18-19 and 21-22 have been amended in order to make explicit what is implicit in the claims. The amendment is unrelated to a statutory requirement for patentability.

Claim 1 claims an image generating system, claim 18 claims an image generating apparatus, claim 19 claims an image generating method, claim 21 claims a computer program product, and claim 22 claims a computer-readable recording medium storing a program for generating an image. The image generating system, apparatus, method, computer program product and computer-readable storage medium storing a program includes storing first shape data which represents a three dimensional shape of a first area including at least a part of an object area in a real world. A camera shoots a second area including at least a part of the object area. An image generating apparatus generates an image of the object area using a picture shot by the camera and the first shape data. A composing unit composes the image of the first area with the image of the second area to generate the image of the object area. The image of the

object area is generated by complementing the area of the object area not shot by the camera with the image of the first area generated from the first shape data.

By a) storing first shape data representing a three dimensional shape of a first area including at least a part of an object area in a real world and b) complementing an area in the object area not shot by the camera with the image of the first area generated from the first shape data, as claimed in claims 1, 18, 19, 21 and 22, the claimed invention provides an image generating system, apparatus, method, computer program product, and computer-readable recording medium in which an image shot by a camera can be complemented by an image found in the real world, but was not captured by the camera to reduce the breakdown of the background and to correctly reproduce an image. The prior art does not show, teach or suggest the invention as claimed in claims 1, 18, 19, 21 and 22.

Claim 1-2, 5-6 and 18-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Sato et al.* (E.P. 1,117,074).

*Sato et al.* appears to disclose virtual objects 102 which denote characters which appear in an augmented reality (AR) game. Each virtual object 102 is a three-dimensional virtual object rendered by computer graphics. The virtual objects 102 are generated by a method in an AR game apparatus 104 [0035]. A RAM703 stores program code of the AR game, polygon and texture data that build each virtual object 102 [0063].

Thus, *Sato et al.* only discloses virtual objects which are not found in the real world and which are generated by computer graphics. However, as claimed in claims 1, 18, 19, 21 and 22, the database stores first shape data representing a three-dimensional shape of a first area including at least a part of an object area in a real world. However, *Sato et al.* teaches away from the claimed invention since only virtual objects, not found in the real world, are stored.

Additionally, *Satoh et al.* merely discloses generating a composite video of the video of the virtual object and the actual sensed video (Abstract). Nothing in *Satoh et al.* shows, teaches or suggests complementing an area of an object not shot by a camera with an image of the first area generated from the first shape data of an object in a real world as claimed in claims 1, 18, 19, 21 and 22. Rather, *Satoh et al.* only discloses composing virtual objects, not in the real world, with actual sensed video.

Since nothing in *Satoh et al.* shows, teaches or suggests (a) storing first shape data representing a three dimensional shape of a first area of an object area in a real world, and (b) complementing an area in the object area not shot by a camera with an image of the first area generated from the first shape data of the real world as claimed in claims 1, 18, 19, 21 and 22, Applicant respectfully requests the Examiner withdraws the rejection to claims 1, 18, 19, 21 and 22 under 35 U.S.C. § 102(b).

Claims 2 and 5-6 depend from claim 1 and recite additional features. Applicant respectfully submits that claims 2 and 5-6 would not have been anticipated by *Satoh et al.* within the meaning of 35 U.S.C. § 102(b) at least for the reasons as set forth above. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 2 and 5-6 under 35 U.S.C. § 102(b).

Claims 3 and 7 were rejected under 35 U.S.C. § 103 as being unpatentable over *Satoh et al.* in view of *Yonezawa et al.* (U.S. Publication No. 2002/0075286). Claims 4 and 8 were rejected under 35 U.S.C. § 103 as being unpatentable over *Satoh et al.* in view of *Anabuki et al.* (U.S. Patent No. 6,633,304). Claims 9-10 and 13-15 were rejected under 35 U.S.C. § 103 as being unpatentable over *Satoh et al.* in view of *Ikeuchi* ("Modeling From Reality"). Claim 11 was rejected under 35 U.S.C. § 103 as being unpatentable over *Satoh et al.*, in view of *Yonezawa*

*et al.* and further in view of *Ikeuchi*. Claim 12 was rejected under 35 U.S.C. § 103 as being unpatentable over *Satoh et al.*, in view of *Anabuki et al.* and further in view of *Ikeuchi*. Claim 16 was rejected under 35 U.S.C. § 103 as being unpatentable over *Satoh et al.* in view of *Kondo* (U.S. Patent No. 6,812,924) and further in view of *Sawada* (U.S. Patent No. 5,844,625). Claim 17 was rejected under 35 U.S.C. § 103 as being unpatentable over *Satoh et al.*, in view of *Kondo*, and further in view of *Sawada* and *Yonezawa et al.*

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in *Satoh et al.* shows, teaches or suggests the primary features as claimed in claim 1, Applicant respectfully submits that the combination of the secondary references with the primary reference will not overcome the deficiencies of the primary reference. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 4 and 7-17 under 35 U.S.C. § 103.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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